

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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GEORGE M GUTIERREZ.

Case No. 2:17-cv-03039-GMN-NJK

**Plaintiff,**

## ORDER

V.

JAMES DZUREND, et al.,

## Defendants.

14       According to the Nevada Department of Corrections inmate database, Plaintiff is no longer  
15 incarcerated. Plaintiff has not filed an updated address notification with the Court. The Court  
16 notes that, pursuant to Nevada Local Rule of Practice IA 3-1, a “pro se party must immediately  
17 file with the court written notification of any change of mailing address, email address, telephone  
18 number, or facsimile number. The notification must include proof of service on each opposing  
19 party or the party’s attorney. Failure to comply with this rule may result in the dismissal of the  
20 action, entry of default judgment, or other sanctions as deemed appropriate by the court.” Nev.  
21 Loc. R. IA 3-1. No later than November 30, 2018, Plaintiff must file his updated address with this  
22 Court. If Plaintiff does not update the Court with his current address by November 30, 2018, the  
23 Court will dismiss this action without prejudice.

24 In addition, Plaintiff submitted an application to proceed *in forma pauperis* for prisoners.  
25 Docket No. 1. The Court ORDERS Plaintiff to either file an application to proceed *in forma*  
26 *pauperis* by a non-prisoner or pay the full filing fee of \$400, no later than November 30, 2018.  
27 The Court will retain Plaintiff's civil rights complaint, Docket No. 1-1, but will not file it until the  
28 matter of the payment of the filing fee is resolved.

1           Accordingly, for the foregoing reasons,

2           IT IS ORDERED that Plaintiff shall file his updated address with the Court, no later than  
3           **November 30, 2018**. If Plaintiff fails to timely comply with this order, the Court will dismiss this  
4           case without prejudice.

5           IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis* for  
6           prisoners, Docket No. 1 is **DENIED** as moot.

7           IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
8           approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document  
9           entitled information and instructions for filing an *in forma pauperis* application.

10          IT IS FURTHER ORDERED that, no later than **November 30, 2018**, Plaintiff shall either:  
11          (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners; or (2) pay the  
12          full filing fee of \$400. If Plaintiff does not timely comply with this order, dismissal of this action  
13          may result.

14          IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint, Docket  
15          No. 1-1, but shall not file it at this time.

16          DATED: October 31, 2018.

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20          NANCY J. KOPPE  
21          UNITED STATES MAGISTRATE JUDGE